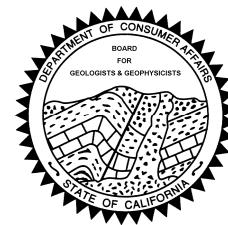




Board for Geologists and Geophysicists  
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Minutes of the Board for Geologists and Geophysicists  
May 9, 2008 Board Meeting  
San Diego Regional Water Quality Control Board Hearing Room  
9174 Sky Park Court  
San Diego, CA

1. The meeting was called to order at 11:00 am and a quorum established. Present: William Black, President; Richard Blake, Vice-President; James Ashby; and Shirley Husar. Board Members Shayan Samii and Cecilia Yu were absent.
2. Mr. Buzz Spellman asked that the Board consider approval of its meeting minutes prior to the next Board Meeting or to post draft minutes on the Board's website, so that other interested parties who did not attend the public meeting might know what was discussed and acted upon.

Board Directive: Attorney Michael Santiago will look at legal issues of publishing draft minutes.

Mr. Charles Nestle cited the "Joint Task Force on Areas of Practice" – sponsored by several nationwide professional organizations – which is looking at the overlap between practice of geology and practice of engineering. Mr. Barry Boulder commended the Board for improvements over the past two years, particularly in enforcement. Mr. Kevin Heaton requested information about Professional Standards and Code of Professional Conduct. Mr. Kirk Hempel, DCA Division of Investigation, welcomed the Board to San Diego, introduced his Senior Investigator Scott Rodseth and indicated that his San Diego office looks forward to working together with Board staff on enforcement cases.

3. The Board approved minutes of the February 8, 2008 with a typographical error corrected.
4. Executive Officer Rick Rempel reported status of a budget change proposal, cooperation with DCA Human Resources to resolve longstanding personnel and pay issues, and enhanced capability of Board staff to work much more effectively with legal and executive staff and to gain mutually productive access to personnel, accounting, contracts, and budgetary support since relocating to DCA Headquarters.

Board Directive: Staff will report on the "fund condition" at the next Board meeting.

Assistant Executive Officer George Dunfield reported the Board's "Professional Standards and Code of Professional Conduct – Professional Geology and Professional Geophysics" took effect April 25, 2008 and that the productive working relationship established with Office of Administrative Law Staff Counsel during the recent regulatory approval process, will help the Board as it seeks future needed regulatory changes.

Board Directive: Staff will insert notice of current "Professional Standards and Code of Professional Conduct" in all Employment Development Department mailings to licensees.

DCA Interim Deputy Director Spencer Walker presented plans for Professionals Achieving Consumer Trust (PACT) Summit November 17-21, 2008 at the Westin LAX and invited Board participation.

Board Directive: Staff to re-schedule the Board meeting originally set for November 14 to November 20, 2008 at the Westin LAX to enable Board participation in the PACT Summit.

Board Directive: Staff will revise DCA website's current Board link to "Environmental/Geology" to reflect the key role of licensed professional geoscientists in solving environmental problems.

*Protection of the public shall be the highest priority of the Board for Geologists and Geophysicists in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount. (Business and Professions Code §7810.1)*

Board Member Ashby reported his email exchange with an Oregon Board of Geology Examiners member regarding the Joint Task Force on Areas of Practice issue raised during the public forum.

Mr. Rempel reported Spring 2008 examination results that indicated California passing rates comparable to nationwide scores for ASBOG® Fundamentals and Practice of Geology examinations and that licensed workforce trends indicate need for targeted outreach to universities and professional societies to bolster awareness of and interest in professional geophysics licensure among geo-science majors and practicing geophysicists. Mr. Rempel also reported that the person who complained to DCA Chief Deputy Director Scott Reid that the \$250 application fee required by law of all applicants should not be required of him because a prior Board executive officer once waived statutory fees on his behalf had, nevertheless, submitted his application for registration and for administration of examination on the form prescribed by the Board along with the statutory \$250 application fee, which satisfactorily resolved the matter.

Board Directive: Staff will continue collecting licensee email address data (i) by revising "Change of Address" forms to include email addresses, (ii) exploring other web-based email options with the DCA Internet Team, and (iii) inserting questionnaires in license renewal notices via Employment Development Department; and will report number of licensees collected to date at the next Board meeting.

Mr. Dunfield reported that most of the 79 compliance investigations currently underway in accordance with Business and Professions Code §101.6 involve environmental geology and that that administrative cite and fine amounts are determined case by case based on the facts.

Board Directive: Staff will assemble pertinent enforcement cases as a starting point to separate engineering and geology issues.

5. Board President Black reported Examination Committee reorganization to focus subcommittee work by discipline on California Supplemental, Geophysics, and specialty geology certification examinations. Enforcement Oversight Committee (EOC) Vice Chair Tony Sawyer reported questions asked by licensees on subjects related to signing reports during the February EOC meeting public forum.

Board Directive: Technical Advisory Committee members will recommend to the Board how the committee might be re-structured to function more effectively and what should be the role of its members.

6. Michael Santiago had no legal issues to report.
7. The Board went into closed session.
8. President Black reported that during the Closed Session the board discussed personnel matters, a settlement agreement and other enforcement matters.
9. Mr. Rempel reported AB1284 was scheduled for consideration by the Senate Business, Professions and Economic Development Committee on Monday May 12, 2008.
10. President Black adjourned the meeting at 4:35pm.

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William Black, Board President

Date Approved: